

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION**

ANTHONY E. GOOCH, individually and)
on behalf of all similarly situated individuals,)
)
 Plaintiff,) CLASS ACTION
)
 v.)
) Civil Action No: 1:07-0016
)
) JUDGE HAYNES
 LIFE INVESTORS INSURANCE)
 COMPANY OF AMERICA, et al.,)
)
 Defendants.)

MOTION FOR PRELIMINARY INJUNCTION

COMES NOW the plaintiff, Anthony E. Gooch, and hereby files this Motion For Preliminary Injunction.

In this motion, Plaintiff respectfully requests that this Court enter an Order requiring Defendants Life Investors Insurance Company of America and AEGON USA, Inc. to use the definition of what constitutes “actual charges” that Defendants used in connection with plaintiff’s policy for the last eight years and pay “actual charges” for radiation therapy and chemotherapy benefits, as well as any other benefits where that term is used, in the amount reflected on healthcare and physician billing statements, both retroactively to the date of the Defendants’ unilateral change and prospectively as allowed under the Plaintiff’s policy.

This motion is supported by the Memorandum Of Law In Support Of Plaintiff's Motion For Preliminary Injunction and the Affidavit of Anthony E. Gooch, Exhibits A through F attached thereto.

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Counsel for Plaintiffs

/s/ Thomas O. Sinclair
Counsel for Plaintiffs

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon the following counsel of record via the Court's electronic filing system, this the 23rd day of May, 2007.

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